

REMARKS

A Notice of Allowance, dated January 24, 2006, was issued in the above-identified application allowing claims 1, 9, 11, 13, 15, and 23. The issue fee is being submitted separately. Upon review of the Examiner's amendments to the claims, an error was noted in the text added by the Examiner. Specifically, claim 15 was amended by the Examiner to recite that the homologue has a nucleotide sequence which "has 90% sequence homology to the complement of nucleotides 2142-1199 of SEQ ID NO: 19." As evidenced by the disclosure at, for example, page 6, line 32 to page 7, line 21, the nucleic acid molecules of the instant invention have at least 90% homology to the recited nucleotide sequence. Accordingly, Applicants have amended claim 15 to recite "said homologue having a nucleotide sequence which has at least 90% sequence homology to the complement of nucleotides 2142-1199 of SEQ ID NO: 19."

Furthermore, Applicants note that claim 23, which depends from claim 15, recites that the "sequence identity is at least 95%." It would be improper for dependent claim 23 to recite "at least 95%" homology when independent claim 15 recites exactly 90% homology.

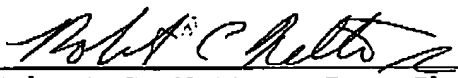
Applicants submit that the amendment to claim 15 complies with the requirements of 35 U.S.C. §112, first and second paragraphs. Accordingly, it is respectfully requested that the Examiner enter the present amendment, in accordance with the provisions of 37 C.F.R. §1.312.

The amendment was not presented prior to the issue fee being paid because the Examiner's Amendment with the Notice of Allowability necessitated the amendment.

The Examiner is authorized to charge any fees
required to the deposit account of the undersigned, Deposit
Account No.: 04-1406.

Respectfully submitted,

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